

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

STEVEN CONE, ET AL.;	§	
	§	
Plaintiffs,	§	CIVIL ACTION NO. 4:17-CV-00001
	§	JUDGE MAZZANT/JUDGE JOHNSON
v.	§	
	§	
SANITARIOS LAMOSA S.A. DE C.V., ET	§	
AL.,	§	
	§	
Defendants.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 22, 2017, the report of the Magistrate Judge (Dkt. #37) was entered containing proposed findings of fact and recommendations that Defendants' Motion to Strike Plaintiffs' Class Allegations from Plaintiffs' First Amended Complaint (Dkt. #17) be denied, and Plaintiffs' Motion to Strike, or Alternatively Stay, Defendants' Request to Strike Class Allegations from Amended Complaint (Dkt. #19) be denied as moot.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

IT IS THEREFORE ORDERED that Defendants' Motion to Strike Plaintiffs' Class Allegations from Plaintiffs' First Amended Complaint (Dkt. #17) is **DENIED**, and Plaintiffs'

Motion to Strike, or Alternatively Stay, Defendants' Request to Strike Class Allegations from Amended Complaint (Dkt. #19) is **DENIED** as moot.

It is SO ORDERED.

SIGNED this 10th day of October, 2017.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE